UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/534,647	03/23/2000	Curtis K Ohrt	M-8554 US	1572

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EXAMINER
NGUYEN, LE V

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 08/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	Applicant(s)
Office Action Summary	09/534,647	OHRT ET AL.
	Examiner	Art Unit
	Le Nguyen	2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-32_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-32_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _23 March 2000_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Specification

1.   The disclosure is objected to because of the following informalities: the reference sign 562 of fig. 5 is not mentioned in the specification.

Drawings

2.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: In fig. 3 and fig. 5, reference characters 322, 567, and 582 and the element it designate are not described in the written description. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3.   The drawings are objected to because in fig. 5, the "Coverage" tab is referenced by an unclear character 5_2. Correction is required.

4.   The drawings are objected to because in fig. 5, it is unclear whether the character reference 572 is referring to the logo or the "Discounts" tab. Correction is required.

Claim Objections

5.   Claims 1, 3-8, 10-14 are objected to because of the following informalities:

a) claims 1, 9, 17 and 25, lines 7, 8-9: the phrase "dynamically generated application form set" should be changed to -- dynamically generated on-line application form set --

b) claims 2, 10, 18 and 26, line 2: the phrases "dynamically generated application form set" should be changed to -- dynamically generated on-line application form set --

c) claims 3, 11, 19, and 27, line 1: the phrase "on-line application" should be changed to -- dynamically generated on-line application form set --

d) claims 7, 15, 23, and 31, line 2: the phrase "application form set" should be changed to -- dynamically generated on-line application form set --

e) claim 7, 15, 23, and 31, line 3: the phrase "application form set" should be changed to -- dynamically generated on-line application form set --

Appropriate correction is required.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gershman et al. ("Gershman", US # 6,278,449) in view of Torres (US # 6,424,360).

As per independent claim 1, Gershman teaches a method of providing an intelligent user interface to an on-line application (fig. 12; col. 31, lines 30-43; *application is in the form of a*

profile wherein the profile is retrieved by a supplier in a web server and web browser environment connected through a network) comprising the steps of:

furnishing a plurality of menu selections on a web page displayed to a user of a web browser (fig. 23; *on the lower left hand corner of the web page are menu selections, such as "Insurance Management" and "Financial Goals", displayed to a user as a Microsoft Internet Explorer application*), wherein the menu selection is a hyperlink to a dynamically generated on-line application form set (fig. 23, *menu selection "Insurance Management" allows the user to change his/her insurance policy on-line*) wherein said web browser comprises Back and Forward navigation functionalities (fig. 23, *navigation functionalities "Back" and "Forward" is displayed*);

displaying said dynamically generated application form set in response to the activation of the hyperlink, wherein the dynamically generated application form set comprises a state determined by at least one user input (col. 37, lines 6-9; *selection of icon 2380 to change insurance policy requires additional user input*).

Gershman's menu selection is in text form rather than icon. However, Torres discloses the use of either icon or text as a means of menu selection (col. 1, lines 56-58). Therefore, it would be obvious to an artisan at the time of the invention to include the use of Torres' icons in place of Gershman's text based menu selection because to the user it would be descriptive at a glance.

Although Gershman teaches the method of providing an intelligent user interface to an on-line application comprising the steps of using the Back and Forward navigation functionalities (fig. 23, *navigation functionalities "Back" and "Forward" is displayed*),

Gershman does not explicitly describe maintaining the state upon the activation of another icon wherein maintaining it allows the use of the Back and Forward navigation functionalities <u>without</u> <u>loss of the state</u>. However, the use of the Back/Forward navigation functionalities without loss of the above mentioned state is inherent so that users may revisit a previously viewed page in its original state.

As per claim 2, which is dependent on 1, the user interface method wherein displaying the dynamically generated application form set comprises combining information from one or more files to form said application form set (col. 28, lines 33-49; *a pattern template file is stored as a dynamic array and is later used to generate a dynamically generated application form*).

As per claims 3 and 4, which are dependent on claim 1, Gershman teaches the user interface method wherein the on-line application form set comprises data and queries (*as described in the abstract, the on-line application form comprises data and queries based in part on user input*) presented as part of a process for applying for a service comprising property or casualty insurance, life insurance, or health insurance (col. 36, lines 64-67; col. 37, lines 1-9; *the user based query is part of a process of notifying the user of a change in his/her life insurance needs with the option of changing his/her life insurance policy*).

As per claims 5 and 6, which are dependent on claim 1, Gershman teaches the user interface method wherein the icons menu selections are displayed along one or more inner or outer edges of a frame displayed within the web page (fig. 23, *"Financial Planner" tab*). Gershman does not teach that icons are depicted as tabs. However, the functionality of icons in this case would provide the same purpose as tabs in that it allows hyperlinking to a related page. It would have been obvious to an artisan to use either tabs or icons as a design choice.

As per claim 7, which is dependent on claim 1, Gershman teaches the user interface method wherein the web page comprises quasi-static elements distinct from the dynamically generated on-line application form set, wherein displaying the dynamically generated on-line application form set in response to the activation of the hyperlink may affect the display of the quasi-static elements (col. 36, lines 64-67; col. 37, lines 1-9; *updating the life insurance policy results in cessation of the dialogue "Life insurance needs have changed. The chart" by icon 2310; by selecting another hyperlink such as "Health Watch", the quasi-static elements will change according to the area clicked*).

As per claim 8, which is dependent on claim 1, Gershman teaches the user interface method wherein the plurality of icons displayed on the web page is determined in part by the user input (col. 2, lines 56-67; *"Financial Planner icon/menu selection changes upon user selection of 2330*).

Independent claims 9, 17 and 25 are individually similar in scope to claim 1, and are therefore rejected under similar rationale.

Claims 10, 18 and 26 are similar in scope to claim 2, and are therefore rejected under similar rationale.

Claims 11, 19 and 27 are similar in scope to claim 3, and are therefore rejected under similar rationale.

Claims 12, 20 and 28 are similar in scope to claim 4, and are therefore rejected under similar rationale.

Claims 13, 21 and 29 are similar in scope to claim 5, and are therefore rejected under similar rationale.

Claims 14, 22 and 30 are similar in scope to claim 6, and are therefore rejected under similar rationale.

Claims 15, 23 and 31 are similar in scope to claim 7, and are therefore rejected under similar rationale.

Claims 16, 24 and 32 are similar in scope to claim 8, and are therefore rejected under similar rationale.

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Knowlton et al. (US 6,141,006) teaches a method for executing business transactions using visual link objects.

Blinn et al. (US 5,897,622) teaches an electronic shopping and merchandising system comprising a dynamic page generator to retrieve and execute a query.

Inquires

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lê Nguyen whose telephone number is **(703) 305-7601**. The examiner can normally be reached on Monday - Friday from 8:00 am to 5:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax number for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 [After Final Communication]

(703) 746-7239 [Official Communication]

(703) 746-7240 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-3900.

Lê Nguyen
Patent Examiner
August 20, 2002

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
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